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10/763,363

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03/23/2005

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EXAMINER

LEURIG, SHARLENE L

ART UNIT

PAPER NUMBER

2879

DATE MAILED: 03/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|--------------------------------------|--|--|
| Office Action Summary | Application No. 10/763,363 | Applicant(s) WATANABE ET AL. | |
| | Examiner Sharlene Leurig | Art Unit 2879 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 January 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2,5,6,9,10,14,15,18,19,22,23,28,29,34,40,41,46,47 and 52 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,5,6,9,10,14,15,18,19,22,23,28,29,34,40,41,46,47 and 52 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 January 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☒ Certified copies of the priority documents have been received in Application No. 09/826,145.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date <u>012304</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 14, 15, 18, 19 and 15 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The term "sheet-like" is indefinite and should be replaced with a definite term such as "sheet".

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1, 2, 5, 6, 14, 15, 46 and 47 are rejected under 35 U.S.C. 102(b) as being anticipated by Kobayashi et al. (5,874,801).

Regarding claim 1, Kobayashi discloses a display device having a display window (Figure 1, substrate) with a principal surface having a magnetic loss layer formed on at least a part of it, since the antireflective layer of the coating on the substrate may include material that provides a magnetic radiation shielding function (column 1, lines 49-67).

Regarding claim 5, Kobayashi discloses a light emitting element having a light emitting window (Figure 1, substrate) with a principal surface having a magnetic loss layer formed on at least a part of it, since the antireflective layer of the coating on the substrate may include material that provides a magnetic radiation shielding function (column 1, lines 49-67).

Regarding claim 14, Kobayashi discloses a plasma display panel (column 8, lines 16-21) having a front glass substrate with an outer surface having a magnetic loss layer in a sheet formation formed on its outer surface, since the antireflective layer of the coating on the substrate may include material that provides a magnetic radiation shielding function (column 1, lines 49-67).

Regarding claim 46, Kobayashi discloses a plasma display panel (column 8, lines 16-21) having a front glass substrate with an outer surface having a specked magnetic loss layer formed on its outer surface, since the antireflective layer of the coating on the substrate may include material that provides a magnetic radiation shielding function (column 1, lines 49-67). The magnetic loss layer may be interpreted as being specked because it is composed of individual particles or specks.

Regarding claims 2, 6, 15 and 47, the magnetic loss layer is a granular magnetic thin layer with a magnetic composition comprising M, X and Y, wherein M is a metallic magnetic material such as Fe (column 4, line 39), Y is O in the form of an oxide (column 4, line 32) and X is a material other than M and Y chosen from any of the materials disclosed by Kobayashi as being present in the layer, including those in Table 1.

5. Claims 1, 2, 5, 6, 9, 10, 28, 29 and 52 are rejected under 35 U.S.C. 102(b) as being anticipated by Ueoka et al. (6,034,474).

Regarding claim 1, Ueoka discloses a display device having a display window (Figure 2, element 1) with a principal surface having a magnetic loss layer (11) formed on at least a part of it.

Regarding claim 5, Ueoka discloses a light emitting element having a light emitting window (Figure 2, element 1) with a principal surface having a magnetic loss layer (11) formed on at least a part of it.

Regarding claim 9, Ueoka discloses a light emitting element having a light emitting window (Figure 2, element 1) with a principal surface having a meshed (Figure 3) magnetic loss layer (11) formed on at least a part of it.

Regarding claim 28, Ueoka discloses a plasma display panel having a front glass (column 6, line 25) substrate (Figure 2, element 1) with an inner surface having a latticed (Figure 3) magnetic loss layer (11) formed on the inner surface.

Regarding claim 52, Ueoka discloses a plasma display panel having a front glass (column 6, line 25) substrate (Figure 2, element 1) with an inner surface having a specked magnetic loss layer (11) formed on the inner surface. The magnetic loss layer may be interpreted as being specked because it is composed of individual particles or specks.

Regarding claims 2, 6, 10 and 29, the magnetic loss layer is a granular magnetic thin layer with a magnetic composition comprising M, X and Y, wherein M is a metallic magnetic material such as Fe or Co (column 6, line 49), Y is O in the form of an oxide

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(column 6, line 49) and X is a material other than M and Y, such as chromium (column 6, line 49).

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

7. Claims 1, 5, 9, 22 and 28 are rejected under 35 U.S.C. 102(e) as being anticipated by Yoshikawa et al. (6,090,473) (of record).

Regarding claim 1, Yoshikawa discloses a display device having a display window (Figure 2a, element 12A) with a principal surface having a magnetic loss layer (13) formed on at least a part of it.

Regarding claim 5, Yoshikawa discloses a light emitting element having a light emitting window (Figure 2a, element 12A) with a principal surface having a magnetic loss layer (13) formed on at least a part of it.

Regarding claim 9, Yoshikawa discloses a light emitting element having a light emitting window (Figure 9, element 92A) with a principal surface having a meshed (Figure 10) magnetic loss layer (93) formed on at least a part of it.

Regarding claim 22, Yoshikawa discloses a plasma display panel (column 1, line 64) having a front glass (column 7, line 59) substrate (Figure 2a, element 12B) with an

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outer surface having a latticed magnetic loss layer (Figure 3) formed on the outer surface.

Regarding claim 28, Yoshikawa discloses a plasma display panel (column 1, line 64) having a front glass (column 7, line 59) substrate (Figure 2a, element 12A) with an inner surface having a latticed magnetic loss layer (Figure 3) formed on the inner surface.

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 18 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kobayashi et al. (5,874,801) in view of Ballato et al. (5,698,940).

Kobayashi discloses a display device such as a plasma display panel (column 8, lines 16-21) having a front glass substrate with an outer surface having a magnetic loss layer in a sheet formation formed on its outer surface, since the antireflective layer of the coating on the substrate may include material that provides a magnetic radiation shielding function (column 1, lines 49-67).

Kobayashi fails to exemplify a magnetic loss layer formed on its inner surface.

Ballato teaches a cathode ray tube having an antireflective layer (Figure 3b, element 20) formed on the inner surface of its panel.

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the PDP of Kobayashi to have the antireflective layers and magnetic loss layer, which are part of the same stack, on the inside of the panel, as Ballato has taught antireflective layers to reduce reflection whether on the inside or outside of the panel.

Regarding claim 19, Kobayashi discloses the magnetic loss layer to be a granular magnetic thin layer with a magnetic composition comprising M, X and Y, wherein M is a metallic magnetic material such as Fe (column 4, line 39), Y is O in the form of an oxide (column 4, line 32) and X is a material other than M and Y chosen from any of the materials disclosed by Kobayashi as being present in the layer, including those in Table 1.

10. Claims 22 and 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lee (6,034,744) (of record) in view of Kobayashi et al. (5,874,801).

Lee discloses a display device comprising a cathode ray tube having a display panel with an outer surface, the display device comprising a striped (Figure 4A) or latticed (Figure 5A) magnetic loss layer formed on the outer surface (column 3, lines 26-39).

Lee fails to exemplify the magnetic loss layer being used on a plasma display panel.

Kobayashi teaches a magnetic loss layer that may be used for CRTs and plasma display devices (column 8, lines 16-21).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the striped or latticed magnetic loss layer of Lee to be used on a plasma display panel, as Kobayashi has taught identical magnetic loss layers to be useful on both types of devices to reduce radiation leakage from the device.

11. Claims 23 and 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lee (6,034,744) (of record) in view of Kobayashi et al. (5,874,801), as applied to claim 34 above, and further in view of JP 9-188545 (of record).

Lee discloses a latticed or striped magnetic loss layer, as described above.

Lee fails to exemplify the magnetic loss layer being used on a plasma display panel.

Kobayashi teaches a magnetic loss layer that may be used for CRTs and plasma display devices (column 8, lines 16-21).

Lee further fails to disclose a magnetic loss layer of the claimed composition.

JP 9-188545 teaches a magnetic loss layer for a cathode ray tube comprising metal oxides (Y) containing at least one of nickel, iron, cobalt, (M) and several other elements (X) such as ruthenium, zinc, chrome, manganese, copper, bismuth, antimony, and lanthanoids (Abstract). JP 9-188545 teaches this combination as a means of overcoming problems of the prior art such as reduction of the resolution of the display image (paragraph 0010).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the latticed or striped magnetic loss layer of Lee to be used on

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a plasma display panel, as Kobayashi has taught identical magnetic loss layers to be useful on both types of devices to reduce radiation leakage from the device, and to further modify to modify Lee's magnetic loss layer with the composition taught by JP 9-188545 in order to provide a magnetic loss layer while further improving the image resolution.

12. Claims 40 and 41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ueoka et al. (6,034,474) in view of Lee (6,034,744) (of record) and further in view of Kobayashi et al. (5,874,801).

Ueoka discloses a plasma display panel having a front glass (column 6, line 25) substrate (Figure 2, element 1) with an inner surface having a latticed (Figure 3) magnetic loss layer (11) formed on the inner surface.

Ueoka fails to exemplify a striped magnetic loss layer.

Lee teaches a latticed (Figure 5A) or striped (Figure 4A) magnetic loss layer formed on the outer surface (column 3, lines 26-39) of a panel of a display device.

Lee fails to exemplify a magnetic loss layer for a PDP.

Kobayashi teaches a magnetic loss layer that may be used for CRTs and plasma display devices (column 8, lines 16-21).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the latticed magnetic loss layer of Ueoka to be striped, as Lee has taught either pattern as reducing radiation leakage for a display device, and as

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Kobayashi has taught identical magnetic loss layers to be useful on both types of devices to reduce radiation leakage from the device.

Regarding claim 41, Ueoka discloses the magnetic loss layer to be a granular magnetic thin layer with a magnetic composition comprising M, X and Y, wherein M is a metallic magnetic material such as Fe or Co (column 6, line 49), Y is O in the form of an oxide (column 6, line 49) and X is a material other than M and Y, such as chromium (column 6, line 49).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sharlene Leurig whose telephone number is (571) 272-2455. The examiner can normally be reached on Monday through Friday, 8:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nimesh Patel can be reached on (571) 272-2457. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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